

EXHIBIT 4

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

JASON WILLIAMS,
Plaintiff,

CERTIFIED COPY

vs.

Case No. 5:19-cv-00475-BO

AT&T MOBILITY, LLC,
Defendant.

CONFIDENTIAL
DEPOSITION OF RAY HILL
30 (b) (6)

November 17, 2021

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9:02 a.m. - 6:48 p.m. EST

REMOTELY REPORTED VIA VIDEO CONFERENCING

REPORTED BY:
Tamara L. Houston
CA CSR No. 7244, RPR, CCRR No. 140
FILE NO. 21-105383



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1 Q. All smartphones on the AT&T network use SIM
2 cards?

3 A. It sounds like that was worded as a
4 statement. Were you asking a question?

11:24:23 5 Q. Yeah. I'm just trying to -- totally trying
6 to understand all of this.

7 Do smartphones -- do all smartphones on
8 AT&T's network use SIM cards?

9 A. When -- when we activate a phone number to
11:24:37 10 a SIM card, the customer can put that into a device,
11 in this case a smartphone, registered to the network
12 to be able to be used.

13 Is that what you're asking?

14 Q. Yeah.

11:24:51 15 So are you familiar with the term "SIM
16 swap"?

17 A. Yes.

18 Q. And what do you understand that term to
19 mean?

11:25:05 20 A. You move the phone number from SIM A to
21 SIM B.

22 Q. And what effect would moving the phone
23 number from SIM A to SIM B have?

24 MR. BRESLIN: Form. Calls for speculation.

11:25:24 25 And vague.

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1 THE WITNESS: I -- I didn't hear the first
2 part of the question.

3 BY MR. LAVIGNE:

4 Q. What effect would moving a phone number
11:25:33 5 from SIM A to SIM B have?

6 MR. BRESLIN: Same objection.

7 THE WITNESS: The phone number would
8 transfer from SIM A, making SIM A no longer being
9 usable for your communications. And then your phone
11:25:51 10 number would be on SIM B. So SIM B, if put into a
11 device, would be able to be used for your
12 communication.

13 BY MR. LAVIGNE:

14 Q. So the phone with SIM A in this
11:26:08 15 hypothetical would -- would not be able to make calls
16 or text messages; is that correct?

17 MR. BRESLIN: Hey, Chris, I'm sorry. Your
18 microphone is breaking up a little bit. I don't know
19 if it's -- anything covering it. I didn't hear the
11:26:17 20 question. I'm sorry.

21 MR. LAVIGNE: Sorry.

22 BY MR. LAVIGNE:

23 Q. In this hypothetical, what you just
24 described, if -- if SIM A -- if a phone number is
11:26:25 25 swapped from SIM A to SIM B, SIM A would no longer be

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1 able to make calls and text messages via AT&T's
2 network; is that correct?

3 A. For general calls, yes. They would still
4 be able to call 911, still be able to call 611.

11:26:45 5 Q. Back in --

6 A. And then they -- they -- I think, you know,
7 as far as the device itself, it wouldn't be with the
8 number. The device itself, potentially they could do
9 Wi-Fi calling or whatever.

11:27:03 10 Q. If -- do you recall when SIM cards were put
11 into use with smartphones?

12 A. We -- we were under the GSM platform which
13 had SIM cards. And so probably whenever the
14 Blackberry -- was probably one of the first
11:27:29 15 smartphones. Then you had the iPhone. So GSM I
16 think launched around 2005, 2006, somewhere around
17 there.

18 Q. Understood.

19 So from 2005, '06 to 2018, did the nature
11:27:56 20 of the SIM card itself change in any way, to your
21 understanding?

22 MR. BRESLIN: Form. Vague.

23 THE WITNESS: What -- I mean, physically
24 change? There were encryption changes, general items
11:28:12 25 like that that are probably more technical than what

1 that it's telling the rep what to do. And so the --
 2 the rep is going to be navigating some of that, but
 3 you're going to have a set of maybe -- maybe word
 4 choice is "permissions" or "capabilities" based --
 5 based on what channel you are in.

6 Q. Okay. Is "prompts" an accurate way to
 7 describe it?

8 (Court reporter requested clarification.)

9 MR. LAVIGNE: I don't need to ask the
 10 question. It's...

11 BY MR. LAVIGNE:

12 Q. So going to the specific entry starting
 13 on -- referring to the entry that I just highlighted,
 14 November 5, 2018, at 18:09:12 military time, do you
 15 see this entry that I've highlighted under the box
 16 "User Text"?

17 A. Yes.

18 Q. And you see where it refers to Rep [REDACTED]?

19 A. Yes.

20 Q. And below that, it says, "Working User I.D.
 21 is" -- the same alphanumeric combination -- "[REDACTED]."

22 Do you see that as well?

23 A. Yes.

24 Q. What -- do you know what this refers to?

25 A. Yes. The -- it is telling you -- if you

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1 remember, we were talking about individual user I.D.s
2 earlier. So this is telling me rep and whatever that
3 individual user I.D. is, and then it's telling me
4 what kind of profile do they have at that moment.

13:25:34 5 So this is [REDACTED] so it's
6 letting me know it's an authorized retail with a
7 [REDACTED]. So I know this wasn't a [REDACTED]
8 profile. So you have a [REDACTED] profile.

9 They tell me they entered the customer
13:25:49 10 verification screen. So when you search a -- a
11 manual search, that you could search for an account
12 by [REDACTED] by [REDACTED], there's
13 multiple different ways that you can do the search --
14 when you get to the screen that says, "All right.
15 Here's the name of the person that your -- you need
16 to confirm the identity of," we call that the
17 customer verification screen.

18 So we're -- we're recording an account note
19 to prove that the rep saw the customer's account name
13:26:06 20 at that point.

21 The working user I.D. part, that's just
22 redundancy. When we were building some of the
23 account note logic, sometimes that -- that was a
24 default item that they had at the end. So it's just
13:26:38 25 redundant.

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1 Q. And so [REDACTED] refers to a retail
2 manager who apparently was looking up the customer
3 and entered the customer verification screen on Opus.
4 Is that -- is that an accurate reflection of this
13:27:04 5 account note?

6 A. It comes from the vendor space. In
7 co-employment, we don't identify if somebody is a
8 manager of the location or do they have [REDACTED]
9 access, [REDACTED]

10 So I -- I always take the interpretation
11 this is telling me the user I.D. In this case, this
12 is the person belonging to the -- the user I.D.
13 [REDACTED]. And this tells me what level of access do
14 they have at that moment.

15 Q. And what level of access did [REDACTED]
16 have?

17 MR. BRESLIN: Form. Misstates prior
18 testimony.

19 (Court reporter requested clarification.)

20 MR. LAVIGNE: I'll redo my question.

21 BY MR. LAVIGNE:

22 Q. So what -- well, actually, I don't have to.
23 You said you -- you said -- I believe your
24 answer was [REDACTED]

25 A. Correct. [REDACTED]

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1 Q. And what --

2 A. Profile.

3 Q. What account access would a [REDACTED]

4 [REDACTED] have?

5 A. [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 Q. And so moving up -- well, hold on. Just
10 staying on this entry that we've just been talking
11 about, do you know if [REDACTED] refers to Stephen
12 Defiore?

13 A. Yes, that -- I recall that's his name. I
14 don't remember the exact spelling, but I remember
15 that sounded similar to that name.

16 Q. Right. So that -- that alphanumeric code,
17 that user I.D., you believe and you understand refers
18 to Stephen Defiore?

19 A. Correct.

20 Q. So moving up, you mentioned [REDACTED] of
21 access that [REDACTED] Stephen Defiore
22 would have to a customer account. Moving to the
23 entry which were -- [REDACTED]
24 [REDACTED] is that correct?

25 A. They would have that capability, correct.

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1 [REDACTED] It will show me [REDACTED]

2 [REDACTED] Or is it one of the authorized users? [REDACTED]

3 [REDACTED]

4 I -- I check -- manually, I check the I.D.

13:46:56 5 One piece I've failed to communicate is that [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 That's what that account note is. That's

13:47:08 10 capturing that customer's consent to be able to

11 proceed. That -- that's not proof that it -- that's

12 what they did. I don't know if that's what they did

13 or not based on this account note, but it's telling

14 me that [REDACTED]

13:47:23 15 Could be that the customer ends up having a

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 So that -- there would normally be another

13:47:35 20 account note saying, "All right. You gave me

21 consent, but now let's put in an account note that

22 says, [REDACTED]

23 [REDACTED]

24 Q. And so is the -- the top entry at 18:11:35,

13:47:52 25 [REDACTED] this is what you were

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1 talking about earlier -- is that indicative of
2 whether or not [REDACTED] Stephen Defiore,

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4

13:48:11 5 A. I -- I don't know based on the account
6 note. [REDACTED]

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11 At this time, we had the ability to do a

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13:49:03

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1 And then -- and because of -- in a retail
2 environment, what happens is if -- if a customer was

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18 Q. So it sounds like there's -- is it correct

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MR. BRESLIN: Form. Misstates.

You can answer, Ray.

THE WITNESS: So, one, even if we scan the

And only in the retail environment, it will

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2 BY MR. LAVIGNE:

3 Q. I understand.

4 One question -- a couple questions, though.

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21 Q. So unpack that a little bit for me. We've

22 just described

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